

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22cv00293-JRG
(Lead Case)

JURY TRIAL DEMANDED

**SAMSUNG'S UNOPPOSED MOTION
FOR LEAVE TO FILE A MOTION TO STRIKE
NETLIST'S BELATED DISCLOSURES, INCLUDING:
(1) THE OCT. 30, 2024 AMENDED EXHIBITS OF MR. DAVID KENNEDY;
AND (2) NETLIST'S THIRD SUPPLEMENTAL DEPOSITION DESIGNATIONS**

Samsung moves for leave to file a motion to strike (1) the October 30, 2024 Amended Exhibits of Mr. David Kennedy and (2) Netlist's third supplemental deposition designations. Good cause exists to file this motion after the deadline for filing motions to strike expert testimony (January 16, 2024, *see* Dkt. 335) and the joint pretrial order (September 6, 2024, *see* Dkt. 770), because Netlist served the Amended Exhibits of Mr. David Kennedy on October 30, 2024, and its third supplemental deposition designations on October 15, 2024, after those deadlines. Samsung thus respectfully requests that the Court grant this motion and permit Samsung to file its accompanying motion to strike on November 1, 2024. Netlist does not oppose this motion, although it opposes the underlying motion to strike.

Date: November 1, 2024

Respectfully submitted,

/s/ Michael J. McKeon

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on November 1, 2024. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Michael J. McKeon

CERTIFICATE OF CONFERENCE

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred on October 31, 2024. Jennifer Truelove attended for Plaintiff. Melissa Smith attended for Defendants. The parties discussed their positions on this motion. Counsel for Plaintiff indicated that Plaintiff does not oppose this motion for leave, but does oppose Defendants' motion to strike.

/s/ Michael J. McKeon